

## Interview Summary

Application No.  
**09/058,810**

Applicant(s)  
**NEGELE et al**

Examiner  
**Vivian Chen**

Group Art Unit  
**1773**



All participants (applicant, applicant's representative, PTO personnel):

(1) Vivian Chen, Exr

(3) \_\_\_\_\_

(2) Mr. Coe, Atty

(4) \_\_\_\_\_

Date of Interview 12-5-01 and 12-6-01

Type: a) ☒ Telephonic      b) ☐ Video Conference  
c) ☐ Personal [copy is given to 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes      e) ☒ No. If yes, brief description:

Claim(s) discussed: 28-50

Identification of prior art discussed:  
references of record

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

The Examiner indicated that the after-final amendment filed 11/23/2001 would NOT overcome the outstanding 112, 1st paragraph rejection for new matter. The Examiner further indicated that it appears that a Markush group listing the species set forth on page 5, lines 4-13, would overcome the new matter rejection. However, upon further consideration of the prior art, the finality of the previous Office Action has been withdrawn and a new action has been issued.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) ☒ It is not necessary for applicant to provide a separate record of the substance of the interview (if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.